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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/776,688      02/06/01      COLINART

G      202720US2

022850      MM91/0628  
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EXAMINER

LEE, K

ART UNIT

PAPER NUMBER

2832

DATE MAILED:

06/28/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Office Action Summary

Application No.

09/776,688

Applicant(s)

COLINART ET AL.

Examiner

Kyung S. Lee

Art Unit

2832

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 March 2001 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "the flat conductor in the shape of a coil" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

### *Claim Objections*

1. Claims 6-17 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claims 6, 7, 9, 10, 12, 13 and 15 depend upon another multiple dependent claim 4. See MPEP § 608.01(n). Accordingly, the claims 6-17 have not been further treated on the merits.

Claim 8 depends on claim 7, claim 11 on 10, claim 14 on 13, and claims 16 and 17 depend on 15.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "the flat conductor is sufficient to resist electrical arcing..." The term "sufficient" in claim 1 is a relative term which renders the claim indefinite. The term "sufficient" is not defined by the claim, the specification does not provide a standard for ascertaining the

requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

In claim 1, "the mass" lacks antecedent basis.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 1 is rejected under 35 U.S.C. 102 (b) as being anticipated by Collins (5,548,268).

Collins teaches a high voltage resistance device (fig. 1A) comprising:

at least one support 15; and

a flat conductor R with a length L, a width W, a thickness on the support 15.

Resistive material R has resistivity  $\rho$ . And the value of R equaling  $\rho L/A$  is a well-known formula (further support by Collins, col. 4). Further, absent any structural differences the device of Collins "is sufficient to resist arcing."

6. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Roberts et al. GB 2 032 460 A).

Roberts et al. teaches a high voltage resistance, comprising:

an organic support (claim 21);

a flat conductor (claims 1-3, resistive foil), the conductor having a length, a width and a thickness and a resistivity;

the value of  $R = \rho L/A$  (L= length of the foil and the A = the area of the foil);

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an organic glue (page 2, line 43) for bonding the foil to the support;

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 4/1, 4/2 and 4/3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. in view of Mitsuo (JP 62-200246 1-66901).

Roberts et al. teaches the claimed invention except for the flat conductor having a shape of a coil (a spiral, Webster's Tenth Edition).

Mitsuo teaches a resistance device (see fig.) having a flat conductor 2 in a shape of a coil to reduce the size of the device.

One skilled in the art, at the time of the invention, would have found it obvious to provide the device of Roberts et al. in a coil form for the purpose of reducing the size.

9. Claims 5/4/1, 5/4/2 and 5/4/3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. in view of Horii et al. (3,824,521).

Roberts et al. teaches the claimed invention except for the conductor comprises parallel straight segments.

Horii et al. teaches a resistive device having the conductor comprises parallel straight segments for the purpose of adjusting the resistance.

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One skilled in the art, at the time of the invention, would have found it obvious to provide the device of Roberts et al. with the conductor comprises parallel straight segments for the purpose of adjusting the resistance.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyung S. Lee whose telephone number is (703) 306-9060. The examiner can normally be reached on 6:30 AM to 3:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael L. Gellner can be reached on (703) 308-1721. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.



KL

June 22, 2001



**KARL D. EASTHOM**  
**PRIMARY EXAMINER**